

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**MICHAEL GORRIO,**  
**Petitioner**

**v.**

**SUPERINTENDENT MARK  
BROTHERS, et al.,**  
**Respondents**

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**No. 1:24-cv-02185**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 24th day of January 2025, upon consideration of pro se Petitioner Michael Gorrio (“Gorrio”)’s petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. Nos. 1-1, 1-2), application for leave to proceed in forma pauperis (“IFP Application”) (Doc. No. 2), certified prisoner trust fund account statement (Doc. No. 3), “Petition Demanding Showing of Cause in the Execution or Return of Writ of Habeas Corpus Ad Subjiciendum Et Recipiendum” (Doc. No. 1-7 at 3–4), “Nunc Pro Tunc Motion to Supplement, Amend, and/or Modify Petitioner’s Petition for Writ of Habeas Corpus to Comply with Local Court Rule 2254(B)(1), the Petition, Title” (id. at 5–7), and “Motion to [sic] Self-Representation and Waiver of Counsel to Proceed Forthwith” (id. at 8–9), and in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. The IFP Application (Doc. No. 2) is **GRANTED**, and Gorrio has leave to proceed in forma pauperis in this action;
2. The Clerk of Court is **DIRECTED** to **SEND** a copy of this Order to the Superintendent/Warden of the institution wherein Gorrio is presently incarcerated;
3. The petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. Nos. 1-1, 1-2) is **DEEMED FILED**;
4. The petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. Nos. 1-1, 1-2) is **DISMISSED WITHOUT PREJUDICE**;

5. Gorrio’s “Petition Demanding Showing of Cause in the Execution or Return of Writ of Habeas Corpus Ad Subjiciendum Et Recipiendum,” “Nunc Pro Tunc Motion to Supplement, Amend, and/or Modify Petitioner’s Petition for Writ of Habeas Corpus to Comply with Local Court Rule 2254(B)(1), the Petition, Title,” and “Motion to [sic] Self-Representation and Waiver of Counsel to Proceed Forthwith” (Doc. No. 1-7) are **DENIED AS MOOT**;
6. A certificate of appealability **SHALL NOT ISSUE**;
7. The Clerk of Court is directed to **SEND** copies of this Order and the accompanying Memorandum to Gorrio, see R. 4, 28 U.S.C. foll. § 2254; and
8. The Clerk of Court is directed to **CLOSE** this case.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania